

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Rico Menefee v Department of Corrections**

Docket No. **279446**

L.C. No.

E. Thomas Fitzgerald, Judge, acting under MCR 7.201(B)(3) and 7.216(A)(10), orders:

The complaint for mandamus, motion to waive fees filed July 17, 2007 and motion to appoint counsel, are DISMISSED for failure to pursue the case in conformity with this Court's order in docket number 276906. That order prevents plaintiff from filing this complaint until he pays the remainder of the filing fee owing in docket number 276906. Plaintiff has not paid the remaining fee. This complaint was not filed while 276906 was still pending and thus it is a new complaint for docketing purposes.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG - 3 2007

Date

Sandra Schultz Mengel
Chief Clerk